

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 6/15/2022
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SMART SHOPPERS BH LLC,	:
	:
Plaintiff,	:
-against-	:
	:
TYLERS COFFEE LLC D/B/A TYLERS ACID-	:
FREE COFFEE A/K/A TYLERS COFFEES®,	:
LIFTED COFFEE LLC, RESINEATER420 LLC,	:
TYLER ORNSTEIN, and DOUG HARDING,	:
Defendants.	:
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22-CV-4969 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on June 14, 2022, Plaintiff filed a Complaint against five Defendants, including Tylers Coffee, LLC; Lifted Coffee, LLC; and Resineater420, LLC; Compl., Dkt. 1;

WHEREAS Plaintiff alleges that this Court's subject matter jurisdiction in this matter is premised on diversity, *id.* ¶ 8;

WHEREAS "a limited liability company has the citizenship of its members," *see Jean-Louis v. Carrington Mortg. Servs., LLC*, 849 F. App'x 296, 298 (2d Cir. 2021);

WHEREAS a complaint premised upon diversity of citizenship must allege the citizenship of natural persons who are members of an LLC and the place of incorporation and principal place of business of any corporate entities that are members of the LLC (including the citizenship of any members of the LLC that are themselves LLCs), *see Handelsman v. Bedford Vill. Assocs. L.P.*, 213 F.3d 48, 51–52 (2d Cir. 2000); *see also, e.g., In re Bank of Am. Corp. Sec., Derivatives, and ERISA Litig.*, 757 F. Supp. 2d 260, 334 n.17 (S.D.N.Y. 2010);

WHEREAS the Complaint alleges that Plaintiff Smart Shoppers BH LLC is a limited liability company and that its CEO and part-owner Leivi Schechter is an individual residing in New York, Compl. ¶ 10;

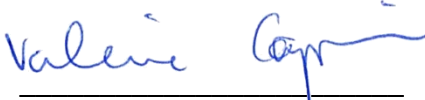
WHEREAS the Complaint made no allegations as to the citizenship of the other members of Plaintiff Smart Shoppers BH LLC; and

WHEREAS the Complaint made no allegations as to the citizenship of the members of Defendants Tylers Coffee, LLC; Lifted Coffee, LLC; or Resineater420, LLC;

IT IS HEREBY ORDERED that by no later than **Tuesday, June 28, 2022**, Plaintiff must file an amended complaint that cures the deficiencies described herein or the complaint will be dismissed without prejudice for lack of subject matter jurisdiction.

SO ORDERED.

Date: June 15, 2022
New York, New York



VALERIE CAPRONI
United States District Judge